

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTHONY DALE, BRETT JACKSON,
JOHNNA FOX, BENJAMIN BORROWMAN,
ANN LAMBERT, ROBERT ANDERSON, and
CHAD HOHENBERY on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

DEUTSCHE TELEKOM AG et al.,

Defendants.

Case No. 1:22-cv-03189

Judge Thomas M. Durkin

Magistrate Judge Jeffrey Cole

**DEFENDANTS T-MOBILE US, INC. AND SOFTBANK GROUP CORP.'S
MOTION TO DISMISS THE COMPLAINT**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants T-Mobile US, Inc. and SoftBank Group Corp., by and through undersigned counsel, hereby respectfully move this Court to dismiss Plaintiffs' Complaint (Dkt. 1) with prejudice.

The grounds for Defendants' Motion are set forth in the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, which is filed concurrently herewith. This Motion is made following the conference of counsel. Plaintiffs object to this Motion. The Parties reached agreement on the schedule and page limits for their respective briefs, which was approved by the Court. Dkt. 71.

Defendants' Motion is based on this Motion, Defendants' Memorandum of Law, the declaration of Rachel S. Brass, Defendants' Request for Judicial Notice, Plaintiffs' Complaint, and all other such matters that the Court may consider. Defendants respectfully request that the Court grant this Motion and dismiss Plaintiffs' Complaint with prejudice.

Dated: December 5, 2022

Respectfully submitted,

/s/ Josh Krevitt

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CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2022, I electronically filed a copy of the foregoing through the Court's CM/ECF system, which will send notifications of the filing to all counsel of record.

/s/ Josh Krevitt

Josh Krevitt